

IN RE OPTICAL DISK DRIVE PRODUCTS  
ANTITRUST LITIGATION

) Case No. 3:10-md-2143 RS  
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)  
) **STIPULATION AND [PROPOSED]**  
) **ORDER REGARDING HLDS**  
) **DEFENDANT CUSTODIANS AND**  
) **SEARCH TERMS**  
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)  
) DATE ACTION FILED: Oct. 27, 2009  
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This Document Relates to:

**ALL ACTIONS**

1 WHEREAS, between June and November 2011, defendants Hitachi-LG Data Storage,  
2 Inc. and Hitachi-LG Data Storage Korea, Inc. (together the “HLDS Defendants” or “HLDS”)  
3 produced approximately 2 million pages of documents to Direct Purchaser Plaintiffs and Indirect  
4 Purchaser Plaintiffs (collectively, “Plaintiffs”, and, together with the HLDS Defendants, the  
5 “Parties”) from the files of Eugene Yang, Young Keun Park, Sik (Daniel) Hur, S.H. Kim, Luke  
6 Choi, James Park, Hyun Soo (Jason) Kim, and Hun Chul Son (the “DOJ Custodians”), pursuant  
7 to Magistrate Judge Spero’s April 7, 2011 Order compelling all defendants to produce to  
8 Plaintiffs documents that had been produced to the U.S. Department of Justice (Dkt. 379);

9 WHEREAS, on September 4, 2012, the Parties submitted a Joint Letter to Magistrate  
10 Judge Spero setting forth the Parties’ prior agreement regarding the inclusion of twenty of  
11 Plaintiffs’ proposed custodians, including Linus Hori, Angela Jin, Jaiho Lee, and Duha Hwang,  
12 and detailing disputes regarding the possible inclusion of twelve additional proposed custodians  
13 (Dkt. 637);

14 WHEREAS, on September 7, 2012, Magistrate Judge Spero issued an Order Granting in  
15 Part and Denying in Part Motion to Compel the HLDS Defendants to Search the Files of  
16 Additional Custodians, in which the Court ordered the HLDS Defendants to search the records of  
17 nine custodians, including Harry Seo and Kyung Tae Chang (Dkt. 641);

18 WHEREAS, on September 18, 2012, the Parties entered into a Stipulation Regarding  
19 Search Term Protocol Between HLDS Defendants and Plaintiffs, which provided for application  
20 of to-be-agreed-upon search terms to documents from the HLDS Defendants’ “additional  
21 custodians” (the “Search Term Protocol”);

22 WHEREAS, on October 26, 2012, counsel for the Indirect Purchaser Plaintiffs sent a  
23 letter to counsel for the HLDS Defendants regarding, inter alia, the possible production of  
24 additional documents from the DOJ Custodians;  
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1 WHEREAS, on November 15, 2012, counsel for the Indirect Purchaser Plaintiffs sent a  
2 letter to counsel for the HLDS Defendants setting forth Plaintiffs' proposed prioritization of  
3 custodians;

4 WHEREAS, the parties had a significant disagreement regarding the interpretation of the  
5 Search Term Protocol, but between November 29, 2012 and December 20, 2012, the Parties met  
6 and conferred and ultimately reached agreement regarding the HLDS Defendants' running of  
7 additional search terms against the documents of the DOJ Custodians in exchange for Plaintiffs'  
8 releasing the HLDS Defendants from their obligation to produce documents from the files of  
9 certain custodians and making certain adjustments to Plaintiffs' proposed prioritization of  
10 custodians.

11 IT IS HEREBY STIPULATED AND AGREED THAT:

12 1. The HLDS Defendants shall apply the list of search terms resulting from the  
13 Search Term Protocol to the custodial documents of the DOJ Custodians, to the extent such  
14 documents have not yet been produced to Plaintiffs;

15 2. The HLDS Defendants are discharged from any obligation to produce documents  
16 from the files of Harry Seo, Kyung Tae Chang, Linus Hori, Angela Jin, and Jaiho Lee.

17 3. The HLDS Defendants are discharged from any obligation to produce documents  
18 from the files of Duha Hwang, provided that (i) the HLDS Defendants will produce responsive  
19 documents from their centralized files regarding Duha Hwang; and (ii) if the HLDS Defendants  
20 discover documents from the files of Duha Hwang that were not known to the HLDS Defendants  
21 as of December 20, 2012, the HLDS Defendants will notify Plaintiffs, and the Parties will  
22 engage in a reasonable discussion regarding whether Duha Hwang should be reinserted on the  
23 HLDS Defendants' custodian list and, if so, the timing for any production; and

24 4. The HLDS Defendants shall prioritize review and production for the remaining  
25 custodians in the following order:  
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	<b>Name</b>	<b>Employer</b>	<b>Employment Status</b>	<b>Geographic Location</b>	<b>Anticipated Date for Production of Documents<sup>1</sup></b>
1	2	3	4	5	6
1	Yang, Woo Jin (Eugene)	HLDS	Inactive	US (serving sentence, will return to Korea)	Feb. 15, 2013
2	Park, Young Keun	HLDS	Inactive	US (serving sentence, will return to Korea)	Feb. 15, 2013
3	Hur, Sik (Daniel)	HLDS	Inactive	U.S. (serving sentence; will return to Korea)	Feb. 15, 2013
4	Kim, Sang Hun	HLDS	Current (will become inactive in January 2013)	Korea	Feb. 15, 2013
5	Jeong, Bruce	HLDS	Current	Korea	Feb. 15, 2013
6	Hiraoka, Yasuki	HLDS	Current	Japan	Feb. 15, 2013
7	Kim, Hyun Soo (Jason/James)	HLDS	Current	Korea	Feb. 15, 2013
8	Son, Hun Chul	HLDS	Current	Korea	Feb. 15, 2013
9	Choi, Jin Sung (Luke)	HLDS	Current	Korea	Feb. 15, 2013
10	Park, Jung Hoon (James)	HLDS	Former	Korea	Feb 15, 2013
11	Gray, Nancy	HLDS	Current	U.S.	Mar. 1, 2013

<sup>1</sup> The order and/or prioritization and anticipated dates for substantial completion of documents for the custodians set out below are based upon the HLDS Defendants' good-faith belief, considering the Plaintiffs' requested priority of custodians and an analysis of a number of different currently-available metrics. Difficulties with processed data or other unanticipated problems yet to be discovered could significantly affect the timeframes supplied. The estimated completion dates may be altered through subsequent negotiation and stipulation between the Parties, subject to resolution by the court if agreement cannot be reached.

	<b>Name</b>	<b>Employer</b>	<b>Employment Status</b>	<b>Geographic Location</b>	<b>Anticipated Date for Production of Documents<sup>1</sup></b>
12	Lee, Jang Won (Jedy)	HLDS	Current	Taiwan	To be negotiated based, inter alia, on the volume of documents from this custodian
13	Lim, (Yim) Bong-Ho	HLDS	Former	Korea	To be negotiated based, inter alia, on the volume of documents from this custodian.
14	Oh, Joseph	HLDS	Current	Netherlands	To be negotiated based, inter alia, on the volume of documents from this custodian.
15	Jeong, Jay	HLDS	Former	Korea	To be negotiated based, inter alia, on the volume of documents from this custodian.
16	Jung, Seung Ki (Kevin)	HLDS	Current	Korea	
17	Kang, In Sung	HLDS	Current	Korea	
18	Kim, Sam (Young)	HLDS	Current	Korea	
19	Choi, In Cheol (Ian)	HLDS	Current	Japan	
20	Choi, Young Do	HLDS	Current	Korea	
21	Kim, Young Jin	HLDS	Former	Taiwan	



1  
2 DATED: January 11, 2013

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14 DATED: January 11, 2013

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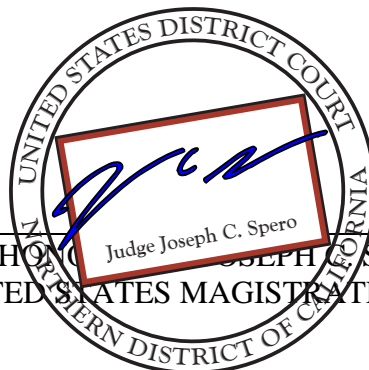
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26 *Interim Lead Counsel for Direct Purchaser Class*

27 **IT IS SO ORDERED.**

28 DATED: 1/14/13

THE HONORABLE JUDGE JOSEPH C. SPERO  
UNITED STATES MAGISTRATE JUDGE



**CERTIFICATE OF SERVICE**

I hereby certify that on January 11, 2013, I caused the foregoing **STIPULATION AND [PROPOSED] ORDER REGARDING HLDS DEFENDANT CUSTODIANS AND SEARCH TERMS** to be electronically filed with the Clerk of the Court using the CM/ECF system, which will automatically send email notification of such filing to all counsel of record.

/s/ Michelle Visser

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